

Notice of Allowability

Application No.

09/725,386

Examiner

Trent J Roche

Applicant(s)

BOURKE-DUNPHY ET AL.

Art Unit

2124

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communications filed 26 October 2004.
2. ☒ The allowed claim(s) is/are 1, 7-12 and 17-25 (renumbered as 1-16).
3. ☒ The drawings filed on 21 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This office action is responsive to communications filed 26 October 2004.
2. Per applicant's request, amended claims 1, 7, 12, 17, 24 and 25 have been entered. Claims 5, 6, 15 and 16 have been canceled. Claims 1, 7-12 and 17-25 are pending.
3. Claims 1, 7-12 and 17-25 have been examined.

Response to Arguments

4. Applicant's arguments, see pages 6 and 7, filed 26 October 2004, with respect to claims 1, 5, 12, 15 and 22-25 have been fully considered and are persuasive. The rejection of claims 1, 5, 12, 15 and 22-25 has been withdrawn.

Allowable Subject Matter

5. Claims 1, 7-12 and 17-25 are allowed.
6. The following is an examiner's statement of reasons for allowance:

The closest found prior art of record, specifically U.S. Patent 6,725,452 to Te'eni et al., taken alone or in combination, fails to teach or reasonably suggest a method or system for planning the installation of a plurality of application or service components as required by independent claim 1. Specifically, Te'eni et al. do not disclose *information identifying selected components to be installed, the interface component provides an installation procedure based on dependency requirements for a plurality of application or service components, the system configuration information further includes information identifying a plurality of computers across which the components are to be installed, the installation procedure further identifying an order for installing the*

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selected components on each of the plurality of computers..." (claim 1). Similar features are recited in independent claims 12, 24 and 25.

Instead, Te'eni discloses a system allowing the user to enter desired system configuration information for identifying components to be installed, and establishes automatically an operatively correct combination of a set of components for installation by resolving inter-component dependency conflicts. However, Te'eni does not teach or reasonably suggest including installation information identifying a plurality of components, further identifying an order for installing the selected components on each of the plurality of computers as required by independent claims 1, 12, 24 and 25.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trent J Roche whose telephone number is (571)272-3733. The examiner can normally be reached on Monday - Friday, 9:00 am - 5:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Trent J Roche
Examiner
Art Unit 2124

TJR


ANIL KHATRI
PRIMARY EXAMINER